

**AMENDMENT NO. 5
TO MEMORANDUM OF UNDERSTANDING
BETWEEN
TORRANCE, BERNALILLO AND SANTA FE COUNTIES
REGARDING
THE WATER PLANNING ACTIVITIES AFFECTING THE ESTANCIA BASIN**

THIS AMENDMENT is made and entered into as of this _____ day of _____, 2013, by and between Santa Fe County, Torrance County, and Bernalillo County, political subdivisions of the State of New Mexico (hereinafter referred to as the "Parties").

WHEREAS, 1995 the Parties entered into a Memorandum of Understanding ("MOU") dated August 23, 1995 (the "1995 MOU") for coordinated water resource planning for the Estancia Underground Water Basin, a hydrologically closed drainage basin described in an exhibit to the MOU;

WHEREAS, through the MOU the parties established the Estancia Basin Water Planning Committee ("EBWPC") whose purpose and objectives are fully described in the MOU;

WHEREAS, regional water planning is promoted and supported by the New Mexico Interstate Stream Commission and initial water planning research for the Estancia Basin has been included as part of the regional water planning process of the Middle Rio Grande Council of Governments;

WHEREAS, since 2004 Santa Fe County has provided funds to support activities of the EBWPC and the continued provision of funds has been documented in the form of amendments to the 1995 MOU;

WHEREAS, since the initial amendment in 2004, Santa Fe County has provided a total of \$59,500.00 to the EBWPC by Amendment Nos. 1, 2, 3 and 4;

WHEREAS, Santa Fe County has agreed to provide funding for fiscal year 2014 to assist the EBWPA with its water planning activities, including the EBWPC's groundwater measurement and monitoring program, administration of water planning activities, educational programs and maintaining an inventory of vetted water rights within the Estancia Basin.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The MOU dated August 23, 1995 is amended by deleting the "SECTION 3" that was added by Amendment No. 4 and replacing it with a new "SECTION 3.A" on Page 4 and re-designating the subsequent section as "SECTION 4.".

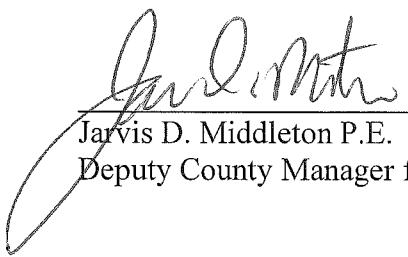
"SECTION 3.A" shall read as follows:

SECTION 3.A FUNDING FOR EBWPC ACTIVITIES.

- (i) SANTA FE COUNTY shall make available \$10,000 for FY 2013 to the EBWPA to fund the activities described in SECTIONS 1 and 3 herein, including but not limited to groundwater

County of Bernalillo:

RECOMMENDED BY:

 12/17/13
Jarvis D. Middleton P.E. Date
Deputy County Manager for Public Works

APPROVED AS TO FORM ONLY:

 12/17/13
County Attorney Date

ESTANCIA BASIN WATER PLANNING COMMITTEE

John L. Jones, Chair

Date

